
Petitioner's Name

Address (may be omitted for privacy)

City, State, ZIP

Telephone (may be omitted)

IN THE _____ JUDICIAL DISTRICT COURT
_____ COUNTY, STATE OF UTAH

_____)	
)	
Petitioner,)	MODIFIED PROTECTIVE
)	ORDER
vs.)	
)	Civil No.
_____)	
Respondent.)	Judge

NOTICE TO THE RESPONDENT: YOU CAN BE ARRESTED FOR VIOLATING THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS, ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THIS ORDER.

NOTICE TO THE PETITIONER: YOU CANNOT WAIVE, ALTER, IGNORE OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.

This matter came for hearing on _____, before the undersigned. The following parties were in attendance:

9	Petitioner	9	Petitioner's attorney _____
9	Respondent	9	Respondent's attorney _____

The Court having reviewed Petitioner's Verified Petition to Modify Protective Order and having received evidence, and it appearing that the original Protective Order should be modified,

IT IS HEREBY ORDERED PURSUANT TO UTAH CODE SECTION 30-6-4.2 THE
PETITIONER IS GRANTED A PROTECTIVE ORDER:

**(The Judge or Commissioner shall initial
each section that is included in this Order.)**

THE COURT MAKES THE FOLLOWING ORDERS IN THIS CRIMINAL PORTION OF THE PROTECTIVE ORDER. Two years after the date of this order, the Respondent may request a hearing to dismiss the criminal portion of this order. The Petitioner is entitled to receive notice from the Court. Therefore, within 30 days prior to the end of the two year period, the Petitioner must provide the Court with a current address, which address will not be made available to Respondent, if the Petitioner wants to receive notice.

_____ 1. Upon the court finding that the Respondent presents a credible threat to the safety of the Petitioner and/or the designated family and household members, the Respondent is restrained from attempting, committing, or threatening to commit abuse or domestic violence against Petitioner and shall not stalk, harass, or threaten or use or attempt to use physical force that would reasonably be expected to cause physical injury to the Petitioner.

_____ 2. The Respondent is restrained from attempting, committing, or threatening to commit abuse or domestic violence against the designated family and household members and shall not stalk, harass, or threaten or use or attempt to use physical force that would reasonably be expected to cause physical injury to those parties. The designated minor children and members of Petitioner's family or household:

_____ 3. The Respondent is prohibited from directly or indirectly contacting, harassing, telephoning, e-mailing or otherwise communicating with the Petitioner.

_____ 4. The Respondent shall be removed and excluded, and shall stay away, from Petitioner's residence, and its premises, located at: _____

_____ and any subsequent residence of Petitioner known to the Respondent, and Respondent is prohibited from terminating or interfering with the utility services to the residence.

_____ 5. The Respondent is ordered to stay away from the school, place of employment, and/or other places, and their premises, frequented by the Petitioner, the minor children and the designated household and family members. This includes any subsequent school, place of employment or other places known to the Respondent, which are frequented by the Petitioner or by the designated family and household members. The current addresses include:

_____ 6. Under state law pursuant to this order, the Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to Petitioner, the Respondent is prohibited from purchasing, using, or possessing a firearm or the following weapon(s):

_____ 7. The Petitioner is awarded possession of the following residence, automobile and/or other essential personal effects:

This award is subject to orders concerning the listed property in future civil proceedings.

_____ 8. An officer from the following law enforcement agency:_____ shall accompany Petitioner to ensure that Petitioner safely regains possession of the awarded property.

_____ 9. An officer from the following law enforcement agency:_____ shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements.

Respondent may not contact the Petitioner or enter the residence to obtain any items.

- _____ 10. The Respondent is placed under the supervision of the Department of Corrections for the purposes of electronic monitoring. Within 24 hours of the execution of this Order, the Department of Corrections shall place an electronic monitoring device on Respondent and shall install monitoring equipment on the premises of Petitioner and in the residence of Respondent. Respondent is ordered to pay to the Department of Corrections the costs of the electronic monitoring required by this Order. The Department of Corrections shall have access to Petitioner's residence to install the appropriate monitoring equipment.

RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A CLASS A MISDEMEANOR UNDER UTAH CODE SECTIONS 3-6-4.2(5) AND 76-5-108.

IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 AND 77-36-2.4.

Petitioner is granted the following temporary relief in the civil portion of this protective order (provisions "a" through "I") which will (expire/be reviewed by the court) _____ days from the date of this order:

- _____ a. The Petitioner is granted custody of the following minor children:

When a minor child is included in a protective order, the Petitioner may provide a copy of the order to the principal of the school where the child attends.

If the Respondent fails to return custody of a minor child as ordered in this order the Petitioner may obtain a writ of assistance from the court.

- _____ b. Visitation shall be as follows:

- _____ c. The Respondent is restrained from using drugs and/or alcohol prior to or during visitation.
- _____ d. The Respondent is restrained from removing the parties' minor children from the state of Utah.
- _____ e. The Respondent is ordered to pay child support to the Petitioner in the amount of \$ _____ pursuant to the Utah Uniform Child Support Guidelines.
- _____ f. The Respondent is ordered to participate in mandatory income withholding pursuant to Utah Code Annotated § 62A-11, Parts 4 and 5.
- _____ g. The Respondent is ordered to pay one-half of the minor child/ren's day care expenses.
- _____ h. The Respondent is ordered to pay one-half of the minor child/ren's medical expenses including premiums, deductibles and co-payments.
- _____ i. The Respondent is ordered to pay Petitioner spousal support in the amount of \$ _____.
- _____ j. The Respondent is ordered to pay Petitioner's medical expenses, suffered as a result of the abuse in the amount of \$ _____.
- _____ k. The Respondent is ordered to pay the minor child/ren's medical expenses, suffered as a result of the abuse in the amount of \$ _____.
- _____ l. Other:

Notice to Petitioner: If, at any time, you receive services through the Office of Recovery Services (ORS) and you want to keep your location information confidential, you must provide a copy of your current protective order to ORS.

VIOLATION OF PROVISIONS “a” THROUGH “f” MAY SUBJECT RESPONDENT TO CONTEMPT PROCEEDINGS.

_____ 11. The Division of Child and Family Services is ordered to conduct an investigation into the allegation of child abuse.

_____ 12. A Guardian ad Litem is appointed to represent the best interests of the child/ren.

_____ 13. Other:

14. Under federal law, the Respondent may be prohibited from purchasing, owning, transporting, using or possessing a firearm and ammunition. A violation of this prohibition may be a separate federal crime. There may be an exemption for police and military personnel while on actual duty and those persons need to contact their immediate supervisors for further instructions regarding compliance with federal law.

15. Law enforcement agencies with jurisdiction over the protected locations shall have authority to compel Respondent’s compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with identification of the Respondent is attached to this Order.

16. Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1976, 18 U.S.C.A. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States Territories.

17. Two years after the date of this order, a hearing may be held to dismiss the remaining provisions of the order. Within 30 days prior to the end of the two-year period, the Petitioner should provide the court with a current address, which address will not be made available to Respondent.

DATED: _____.

BY THE COURT:

DISTRICT COURT JUDGE

Recommended by:

_____/_____
District Court Commissioner Date

By this signature, Respondent approves the form, and accepts service, of this Protective Order and waives the right to be personally served.

Respondent

Serve Respondent at:

Street: _____
City/Town: _____
State/Zip _____